

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JANUARY 14, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. OATH OF OFFICE FOR NEW COMMISSIONERS:** Zeya Mohsin and Al Garcia
- III. ROLL CALL**
- IV. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- V. APPROVAL OF MINUTES:** December 10, 2003
- VI. ANNOUNCEMENTS**
- VII. APPROVAL OF THE AGENDA**
- VIII. ELECTION OF OFFICERS (VICE CHAIR)**
- IX. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

X. PUBLIC HEARING

- 1. USE PERMIT NO. UP2003-48 AND ENVIRONMENTAL ASSESSMENT NO. EA2003-12:** Request to operate a church in three vacant industrial buildings located in the Heavy Industrial zoning district at 995, 1201 and 1225 Montague Expressway (APN: 086-31-058 & 059). Applicant: ArcTec, Inc. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 3168) *(Recommendation: Approval with Conditions)*
- 2. ADMINISTRATIVE ITEM NO. AD2003-16:** Proposed Cultural Resource Site designation of the 'O'Toole Elms located between South Main and South Abel Streets, north of the Main Fire Station (APN: 086-11-013 & 086-11-008). Project Planner: Kim Duncan, (408) 586-3283. *(Recommendation: Approval to City Council)*
- * 3. USE PERMIT NO. UP2003-49:** A request to locate a church in the Single Family Residential District at 297 Autrey Street (APN: 026-03-029). Applicant: Living Water Baptist Church. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2358) *(Recommendation: Approval with Conditions)*

- * 4. **USE PERMIT NO. UP2003-43:** Request to operate a restaurant and bakery without providing 9 required parking spaces located at 273 West Calaveras Boulevard (APN: 022-25-042). Applicant: Harry Kho. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2351) *(Recommendation: Approval with Conditions)*
- * 5. **USE PERMIT NO. UP2003-47:** Request to operate a cafe, Starbuck's, with 34 indoor and 13 outdoor seats without providing thirteen (13) required parking spaces at 1487 Landess Avenue (APN: 088-35-011). Applicant: Zeden Jones. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2357) *(Recommendation: Approval with Conditions)*
- * 6. **USE PERMIT NO. UP2003-50:** A request to locate a 72 seat take-out restaurant, including outdoor seating, in the Town Center District (TC) at 70 North Milpitas Boulevard (APN: 028-12-021). Applicant: Panda Restaurant Group. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2359) *(Recommendation: Approval with Conditions)*
- * 7. **USE PERMIT NO. UP2003-53:** A request to permit an existing legal non-conforming restaurant, Taqueria Las Vegas, with 28 seats (20 indoor and 8 outdoor) with sale of beer and wine at 1417 North Milpitas Boulevard (APN 22-02-009). Applicant: Francisco & Jesus Rodriguez. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2361) *(Recommendation: Approval with Conditions)*

XI. NEW BUSINESS

- * 8. **S-ZONE APPROVAL AMENDMENT (SA2003-165):** A request to remove 457 young, diseased trees, to be replaced with 368 new trees for a net loss of 89 trees on-site at 400-940 McCarthy Boulevard (APN: 022-29-034 & 035). Applicant: LCM. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS January 28, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Debbie Giordano-regular member, Gurdev Sandhu-regular member and Deepka Lalwani-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. S-ZONE AMENDMENT APPROVAL (SA2003-168):** A request for a trellis over an existing outdoor patio area at 70 North Milpitas Boulevard (APN: 028-12-021). Applicant: C. Roger Su. Project Planner: Troy Fujimoto (408) 586-3287.
- b. S-ZONE AMENDMENT APPROVAL (SA2003-156):** A request to install a 36” wall sign for Starbuck’s located at 353 Jacklin Road (APN: 026-28-029). Applicant: C. JSJ Electrical. Project Planner: Cindy Hom (408) 586-3284.
- c. S-ZONE AMENDMENT APPROVAL (SA2003-170):** A request to construct a 525 sq. ft. room addition located in rear yard located at 578 Wool Drive (APN: 29-10-012). Applicant: Chieu Dang. Project Planner: Cindy Hom (408) 586-3284.
- d. S-ZONE AMENDMENT APPROVAL (SA2003-172):** A request to have (4) separate outdoor tent events occurring on 1/16/04, 4/16/04, 7/23/04, and 10/22/04. Events will be held in the parking lot located at 790 Sycamore Drive (APN: 29-10-012). Applicant: Stuart Rental Company. Project Planner: Cindy Hom (408) 586-3284.
- e. S-ZONE AMENDMENT APPROVAL (SA2004-3):** A request to install new individual channel letter signs located at 755 Yosemite Drive (APN: 86-38-009) Applicant: Fluoresco Lighting & Signs. Project Planner: Cindy Hom (408) 586-3284.

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455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** January 14, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PRESENTATION

- 1. REDEVELOPMENT AGENCY ANNUAL REPORT:** Review of FY 2002-2003 Redevelopment Agency Audited Financial Statements and Annual Report. Emma Karlen, Finance Director, (408) 586-3145. *(Recommendation: N/A)*

IX. PUBLIC HEARING

- 2. ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2003-15, USE PERMIT NO. UP2003-46 AND "S" ZONE APPROVAL AMENDMENT NO. SA2003-135:** Request to operate a child care facility for up to 36 children without providing eight (8) parking spaces and associated site improvements including parking lot modifications and new exterior gated play area in the community center of The Crossings at Montague, 757 East Capitol Avenue (APN: 092-08-95). Applicant Montague Parkway Associates. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2355) *(Recommendation: Approval with Conditions)*

- * 3. **TENTATIVE PARCEL MAP NOS. MI2003-4 and MI2003-5:** Request for two tentative parcel maps to convert two separate parcels into four parcels at 991, 995, 1201 and 1225 Montague Expressway, located in Fleming Business Park (APNs: 086-31-058 & 059). Applicant: South Bay Development. Project Planner: Kim Duncan, (408) 586-3283. (PJ #3168) *(Recommendation: Approval with Conditions)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS February 11, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR FEBRUARY 11, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** January 28, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PUBLIC HEARING

- * 1. USE PERMIT AMENDMENT NO. UA2003-24 AND "S" ZONE APPROVAL AMENDMENT NO. SA2003-145:** Request to modify an existing monument for Lifescan located at 1000 Gibraltar Drive (APN: 86-42-026). Applicant: Sign Classics. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2363) *(Recommendation: Approval with Conditions)*
- * 2. TENTATIVE PARCEL MAP NOs. MI2003-4 and MI2003-5** *(Continued from January 28, 2004):* Request for two tentative parcel maps to convert two separate parcels into four parcels at 991, 995, 1201 and 1225 Montague Expressway, located in Fleming Business Park (APNs: 086-31-058 & 059). Applicant: South Bay Development. Project Planner: Kim Duncan, (408) 586-3283. (PJ #3168) *(Recommendation: Approval with Conditions)*
- * 3. USE PERMIT AMENDMENT NO. UA2003-23 AND "S" ZONE APPROVAL AMENDMENT NO. SA2003-166:** Request to add four (4) additional panel antennas to an existing telecommunications site located behind a new building parapet at 1101 Cadillac Court (APN: 22-38-020). Applicant: Nextel Communications. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2362) *(Recommendation: Approval with Conditions)*

- * 4. **SITE AND ARCHITECTURE REVIEW (SA2003-12), USE PERMIT'S NO. UP2002-42, UP2003-57, UP2003-58, UP2004-1, AND UP2004-3:** A request to demolish and redevelop a part of the Town Center shopping center, which would include a new 54,000 square foot Safeway supermarket with the sale of all types of alcoholic beverages, a 32-seat Starbucks café within Safeway, and three (3) new freestanding signs within the shopping center. (APN: 028-12-004, 006, 013, 014, 016 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ#3153) (*Recommendation: Continue to February 25, 2004*)
- * 5. **USE PERMIT NO. UP2002-42 AND SITE AND ARCHITECTURE REVIEW (SA2003-13):** A request to construct 65 townhouses at the rear of the Town Center shopping center (APN: 028-12-006 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ #3153) (*Recommendation: Continue to February 25, 2004*)
- * 6. **SIGN ORDINANCE AMENDMENT NO. 124.26 (ZT2003-5):** A request to amend the sign ordinance to increase the number of freestanding signs allowed in the Town Center District. Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #3153) (*Recommendation: Continue to February 25, 2004*)

IX. NEW BUSINESS

- * 7. **ADMINISTRATIVE REVIEW NO. P-AD2004-2:** A request to allow a printing business as a permitted use within the Industrial Park (MP) zoning district at 496 South Abbott Avenue (APN: 086-06-011). Applicant: Citation Press. Acting Planning Manager: James Lindsay, (408) 586-3274. (*Recommendation: Approval*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS February 25, 2004

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- a. S-ZONE AMENDMENT APPROVAL (SA2004-10):** A request for two (2) new equipment enclosures at the northeast corner at 497 Hillview Drive (APN: 086-38-028). Applicant: Dan Burris. Project Planner: Troy Fujimoto, (408) 586-3287.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR FEBRUARY 25, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** February 11, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PUBLIC HEARING

- 1. USE PERMIT NO. UP2003-56, 'S' ZONE APPROVAL AMENDMENT NO. SA2004-5 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-2:** A request to operate a philanthropic organization that includes senior programs, preschool/child care center, after-school tutoring, free medical/dental clinic, community classes and exterior playground in a vacant research and development building located at 1851 McCarthy Boulevard within the Highway Service Zoning District (APN: 086-03-014). Applicant: Tzu Chi Foundation. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 3171) *(Recommendation: Approval with the Exception of the Preschool/Child Care Center Use)*

2. **ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-1 AND ZONE TEXT AMENDMENT NO. ZT2004-1 (Ordinance No. 38.763):** The City has prepared a Negative Declaration for Ordinance No. 38.763, which proposes to modify the following provisions as they relate to single-family dwellings: remove the maximum number of unrelated persons that can occupy a dwelling, require all occupants to function as a single housekeeping unit and provide a definition for single housekeeping unit, require two parking spaces to be enclosed within the garage and permanently maintained, and expand the definition of a kitchen. In addition, the project proposes to modify the location of the legal notice postings from the project vicinity to the project site. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Adopt the Negative Declaration (EA2004-1); and Adopt Ordinance No. 38.763 for amendments to the Zoning Ordinance Text (ZT2004-1))*
- * 3. **SITE AND ARCHITECTURE REVIEW (SA2003-12), USE PERMIT'S NO. UP2002-42, UP2003-57, UP2003-58, UP2004-1, AND UP2004-3** *(Continued from February 11, 2004)*: A request to demolish and redevelop a part of the Town Center shopping center, which would include a new 54,000 square foot Safeway supermarket with the sale of all types of alcoholic beverages, a 32-seat Starbucks café within Safeway, and three (3) new freestanding signs within the shopping center. (APN: 028-12-004, 006, 013, 014, 016 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ# 3153) *(Recommendation: Continue to March 10, 2004)*
- * 4. **USE PERMIT NO. UP2002-42 AND SITE AND ARCHITECTURE REVIEW (SA2003-13)** *(Continued from February 11, 2004)*: A request to construct 65 townhouses at the rear of the Town Center shopping center (APN: 028-12-006 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ# 3153) *(Recommendation: Continue to March 10, 2004)*
- * 5. **SIGN ORDINANCE AMENDMENT NO. 124.26 (ZT2003-5)** *(Continued from February 11, 2004)*: A request to amend the sign ordinance to increase the number of freestanding signs allowed in the Town Center District. Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 3153) *(Recommendation: Continue to March 10, 2004)*

IX. NEW BUSINESS

- * 6. **HOLIDAY PARKING REVIEW (AD2004-3) FOR USE PERMIT (NO. 1166) AMENDMENT NO. UA2002-4:** Holiday parking review for the Great Mall Shopping Center, as part of the use permit for a parking modification (APN: 086-24-055). Applicant: Milpitas Mills Limited Partnership. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Note receipt and file)*
- * 7. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-8:** A request for approval to utilize side yards as part of the required rear yard open space for a property located at 466 Donahe Drive within the R1-6 Zoning District. (APN: 028-14-050). Applicant: Frank Ho. Project Planner: Cindy Hom, (408) 586-3284 *(Recommendation: Approval with Conditions)*

X. ADJOURNMENT

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- a. S-ZONE APPROVAL AMENDMENT NO. SA2003-57:** Request to convert existing crawl space into a 546 square foot recreation room and 424 square foot storage area with new exterior deck of a hillside residence located at 1854 St. Andrews Court (APN: 029-53-021). Applicant: Tuan Ngo. Project Planner: Kim Duncan, (408) 586-3283.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MARCH 10, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** February 25, 2004
- V. ANNOUNCEMENTS**
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VIII. PUBLIC HEARING

- 1. USE PERMIT NO. UP2003-59, ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-3:** Request to operate a religious facility that includes religious study and worship in a vacant 61,122 square foot research and development building located in the Dixon Landing Business Park, zoned Industrial Park (MP), at 1494 California Circle (APN: 022-37-011). Applicant: Everlasting Private Foundation. Project Planner: Kim Duncan, (408) 586-3283. (PJ #3172) *(Recommendation: Approval with Conditions)*
- * 2. USE PERMIT AMENDMENT NO. UA2004-3 AND "S" ZONE APPROVAL AMENDMENT NO. SA2004-12:** Request for a new 15-foot tall freestanding sign to replace an existing monument sign for the Shell Gas Station located at 900 Jacklin Road (APN: 028-05-017), zoned Highway Service. Applicant: Arc, Inc. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2364). *(Recommendation: Approval with Conditions)*

- * 3. **SITE AND ARCHITECTURE REVIEW (SZ2003-12), USE PERMIT'S NO. UP2002-42, UP2003-57, UP2003-58 AND UP2004-1.** *(Continued from February 25, 2004):* A request to demolish and redevelop a part of the Town Center shopping center, which would include a new 54,000 square foot supermarket with the sale of all types of alcoholic beverages, a 32-seat Coffee café within Safeway, and three (3) new freestanding signs within the shopping center. (APN: 028-12-004, 006, 013, 014, 016 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ #3153) *(Recommendation: Continue to March 24, 2004)*
- * 4. **USE PERMIT NO. UP2002-42 AND SITE AND ARCHITECTURE REVIEW (SZ2003-13)** *(Continued from February 25, 2004):* A request to construct 65 townhouses at the rear of the Town Center shopping center (APN: 028-12-006 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ #3153) *(Recommendation: Continue to March 24, 2004)*
- * 5. **SIGN ORDINANCE AMENDMENT NO. 124.26 (ZT2003-5)** *(Continued from February 25, 2004):* A request to amend the sign ordinance to increase the number of freestanding signs allowed in the Town Center District. Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #3153) *(Recommendation: Continue to March 24, 2004)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS March 24, 2004

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- a. **S-ZONE APPROVAL AMENDMENT NO. SA2004-14:** Request to construct an 800 square foot exterior storage enclosure in the northwest portion of the parking lot of Wal Mart, located at 301 Ranch Drive (APN: 022-29-016), zoned General Commercial (C2). Applicant: P&R Architects. Project Planner: Kim Duncan, (408) 586-3283.
- b. **S-ZONE APPROVAL AMENDMENT NO. SA2004-15:** Request to replace an existing 6' monument sign with a new 6'-1" illuminated double-faced aluminum monument sign to be installed on the street corner of Calaveras Boulevard and Dempsey Way for Days Inn located at 95 Dempsey Way (APN: 088-04-065), zoned Neighborhood Commercial (C1). Applicant BLR Sign Systems. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MARCH 24, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

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- 2. USE PERMIT NO. UP2002-42 AND SITE AND ARCHITECTURE REVIEW (SZ2003-13)** *(Continued from March 10, 2004):* A request to construct 65 townhouses at the rear of the Town Center shopping center (APN: 028-12-006 & 019). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287 (PJ #3153) *(Recommendation: Approval with Conditions)*

3. **SIGN ORDINANCE AMENDMENT NO. 124.26 (ZT2003-5)** *(Continued from March 10, 2004)*: A request to amend the sign ordinance to increase the number of freestanding signs allowed in the Town Center District. Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #3153) *(Recommendation: Recommend Approval to City Council)*
4. **ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-1 AND ZONE TEXT AMENDMENT NO. ZT2004-1 (Ordinance No. 38.763)** *(Continued from February 25 2004)*: The City has prepared a Negative Declaration for Ordinance No. 38.763, which proposes to modify the following provisions as they relate to single-family dwellings: remove the maximum number of unrelated persons that can occupy a dwelling, require all occupants to function as a single housekeeping unit and provide a definition for single housekeeping unit, require two parking spaces to be enclosed within the garage and permanently maintained, and expand the definition of a kitchen. In addition, the project proposes to modify the location of the legal notice postings from the project vicinity to the project site. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Adopt the Negative Declaration (EA2004-1); and Adopt Ordinance No. 38.763 for amendments to the Zoning Ordinance Text (ZT2004-1))*
- * 5. **SIX-MONTH REVIEW (PR2004-1)**: A six-month review of Calvary Chapel of Milpitas in regards any garbage or parking concerns associated with Use Permit No. UP2003-16 at 1757 Houret Court (APN: 086-41-009), zoned Heavy Industrial (M2). Applicant: Calvary Chapel of Milpitas. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #2332) *(Recommendation: Note receipt and file)*
- * 6. **USE PERMIT NO. UP2004-5**: A request to allow a store selling used merchandise, such as thrift stores at 4 North Abel Street (APN: 022-08-038), zoned Mixed Use (MXD). Applicant: Patrick Lam. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #2365) *(Recommendation: Approval with Conditions)*
- * 7. **USE PERMIT NO. UP2004-4**: A request for a parking reduction of 18 parking spaces for the conversion of a Research and Development facility to medical offices at 611 South Milpitas Boulevard (APN: 086-42-029), zoned Heavy Industrial (M2). Applicant: HCP 611 Milpitas LLC. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #3173) *(Recommendation: Approval with Conditions)*

IX. NEW BUSINESS

8. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-3**: A request to replace seven existing cabinet logo signs with (2) new internally illuminated individual channel letter wall signs for Bottomley Distributing Company located at 755 Yosemite Drive (APN: 086-38-009), zoned Heavy Industrial Applicant: Lori Gilliam. Project Planner: Cindy Hom, (408) 586-3284. *(Recommendation: Denial)*
- * 9. **'S' ZONE APPROVAL AMENDMENT NO. SA2004-13**: Request to install an 8-foot tall wood fence located at the rear of 244, 255 & 260 South Main Street (APNs: 086-27-013 & 014), zoned Mixed Use (MXD). Applicant: Jim Rocha, Jr. Project Planner: Kim Duncan, (408) 586-3283. *(Recommendation: Continue to April 14, 2004)*

- * 10. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-18:** A request for a sign program for single tenant building recently subdivided to accommodate three tenants at 275 West Calaveras Boulevard (APN: 022-25-042), zoned General Commercial. Applicant: Lisa Lo. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Approval with Conditions)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 14, 2004

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Debbie Giordano-regular member, Gurdev Sandhu-regular member and Deepka Lalwani-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. S-ZONE AMENDMENT (SA2004-20):** A request to locate a new loading dock, remove and replace landscaping (including trees), relocate an existing transformer and associated enclosure at 151 Great Mall Drive (APN: 086-24-055). Applicant: Milpitas Mills Limited Partnership. Project Planner: Troy Fujimoto, (408) 586-3287.
- b. S-ZONE AMENDMENT (SA2004-21):** A request to construct a 1,400 square foot enclosure and the relocation of three trees at 100 South Milpitas Boulevard (APN: 086-28-029). Applicant: SAE Magnetics. Project Planner: Troy Fujimoto, (408) 586-3287.
- c. S-ZONE AMENDMENT (SA2004-22):** A request to hold a one day outdoor tent event at Home Depot Pro's front parking lot located at 1535 Landess Ave. (APN: 088-35-017). Applicant: Classic Party Rentals. Project Planner: Cindy Hom, (408) 586-3284.
- d. S-ZONE AMENDMENT (SA2004-15):** A request to replace an existing 6' monument sign with a new 6'1" double face aluminum monument sign located at 95 Dempsey Road (APN: 088-04-065). Applicant: BLR Sign Systems. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 14, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** March 24, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. NEW BUSINESS

- 1. PRESENTATION OF THE 2004-2009 CAPITAL IMPROVEMENT PROGRAM (CIP):** Presentation on the CIP program, providing an overview of the proposed 2004 – 2009 Draft CIP Annual Report. City Engineer Mike McNeely, (408) 586-3301 and Associate Civil Engineer Doug De Vries, (408) 586-3313. *(Recommendation: Find the 2004-2009 CIP in conformance with the General Plan and recommend this proposed Capital Improvement Program to City Council)*
- 2. ADMINISTRATIVE PERMIT NO. AD2004-5:** Discussion on impervious surface area as it relates to wood decks within the hillside zoning district. Planning Manager James Lindsay, (408) 586-3274. *(Recommendation: No action Necessary)*
- * 3. 'S' ZONE APPROVAL AMENDMENT NO. SA2004-13** *(Continued from March 24, 2004):* Request to install an 8-foot tall fence located at the rear of 244, 255 & 260 South Main Street (APNs: 086-27-013 & 014), zoned Mixed Use (MXD). Applicant: Jim Rocha, Jr. Project Planner: Kim Duncan, (408) 586-3283. *(Recommendation: Approval with Conditions)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 28, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a.** There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 28, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** April 14, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PUBLIC HEARING

- 1. REVIEW OF THE BART EXTENSION TO MILPITAS, SAN JOSE, AND SANTA CLARA DEIS/DEIR COMMENT LETTER.** Project Planner: Dennis Carrington, (408) 586-3275. (*Recommendation: Recommend that the City Council approve the Draft comment letter on the DEIS/DEIR*)

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS May 12, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Vice Chair Lalwani-regular member, Debbie Giordano-regular member and Alex Galang-alternate member) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. “S”-ZONE AMENDMENT NO. (SA2004-32):** A request to have an outdoor event at 477 East Calaveras Boulevard (APN: 028-12-016), which will include outdoor eating, drinking, and singing and dancing (Cinco de Mayo). Applicant: El Torito Restaurants Inc. Project Planner: Troy Fujimoto, (408) 586-3287.
- b. “S”-ZONE AMENDMENT NO. (SA2004-29):** A request to install a new chain link enclosure and canopy at 727 Gibraltar Drive (APN: 086-42-022). Applicant: Solelectron. Project Planner: Troy Fujimoto, (408) 586-3287.
- c. “S”-ZONE AMENDMENT NO. (SA2004-30):** A request to install a new canopy in an existing enclosure at 1077 Gibraltar Drive (APN: 086-42-020). Applicant: Solelectron. Project Planner: Troy Fujimoto, (408) 586-3287.
- d. “S”-ZONE AMENDMENT NO. (SA2004-37):** A request for a new building sign for an industrial warehouse building located at 1021 Yosemite Way (APN: 086-29-046). Applicant Allen Signs. Project Planner: Staci Pereira, (408) 586-3278.
- e. COMPLIANCE WITH SPECIAL CONDITION NO. 3 FOR PLANNED UNIT DEVELOPMENT NO. PD2002-2 (MARTINEZ RESIDENCE):** Compliance with Special Condition No. 3 in regards to approval of a fencing plan for a hillside residence located at 1000 Country Club Drive (APN: 029-03-014). Applicant: Norm LaCroix. Project Planner: Troy Fujimoto, (408) 586-3287.
- f. “S”-ZONE AMENDMENT NO. (SA2004-36):** A request for approval for a one-day outdoor tent event in the parking lot located at 847 Gibraltar Drive. (APN: 086-42-020). Applicant: Special Events. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MAY 12, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** April 28, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PUBLIC HEARING

- 1. USE PERMIT AMENDMENT NO. UA2004-5 AND "S" ZONE APPROVAL AMENDMENT NO. SA2004-33:** Request for a new 25-foot tall freestanding sign to replace an existing 20-foot tall monument sign for the Shell Gas Station located at 950 East Calaveras Boulevard (APN: 086-29-027), zoned Highway Service. Applicant: Arc, Inc. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2366) (*Recommendation:*)

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS May 26, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. “S”-ZONE APPROVAL AMENDMENT (SA2004-39):** A request for approval to construct a new front entryway, trash enclosure, patio area, minor modifications to the landscaping, and removal of an existing monument sign located at 580 Cottonwood Drive. (APN: 086-03-088). Applicants: Dennis Kobza & Associates. Project Planner: Cindy Hom, (408) 586-3284.
- b. “S”-ZONE APPROVAL AMENDMENT (SA2004-38):** A request to install new 6-foot tall monument sign located at 835-865 Sinclair Frontage Road (APN: 086-31-018). Applicant: Coulthard Identity Group. Project Planner: Kim Duncan, (408) 586-3283.
- c. “S”-ZONE APPROVAL AMENDMENT (SA2004-40):** A request to install a new enclosure and outdoor equipment for ground remediation purposes at 27 S. Park Victoria (APN: 088-04-010). Applicant: TRC. Project Planner: Troy Fujimoto (408) 586-3287.
- d. “S”-ZONE APPROVAL AMENDMENT (SA2004-45):** A request for a 100 square foot building addition at 497 S. Hillview Drive (APN: 086-38-028). Applicant: Headway Technology. Project Planner: Troy Fujimoto (408) 586-3287.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MAY 26, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** May 12, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PUBLIC HEARING

- 1. "S" ZONE APPROVAL AMENDMENT NO. SA2004-2 AND USE PERMIT AMENDMENT NO. UA2004-7:** A request to amend a previously approved mixed use development to reduce the number of residential units from 102 to 96, reduce the retail floor area, modify their Density Bonus approval to exceed the maximum density by 7 units and a request not to provide 27 required parking spaces. The project site is located at 230 North Main Street (APN: 028-24-017 and -018) within the MXD-TOD zoning district. Applicant: Apton Properties, LLC. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3144) *(Recommendation: Recommend Approval to City Council with Conditions)*
- 2. SIX-MONTH REVIEW (PR2004-2) OF USE PERMIT AMENDMENT NO. UA2003-15:** A six-month review of Use Permit Amendment No. UA2003-15 for live entertainment, to ensure that a garbage enclosure is built and the project is in compliance with all conditions of approval for the Manila Natori restaurant at 579 South Main Street (APN: 086-11-012), zoned Mixed Use (MXD). Applicant: Bella Juniega. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2343) *(Recommendation: Note Receipt and File)*

- * 3. **USE PERMIT AMENDMENT NO. UA2004-6:** A request to amend an existing use permit to allow outdoor cooking (barbecue) and add a deli service to an existing market at 74 Dempsey Road (APN: 088-04-001), zoned Neighborhood Commercial with an "S" overlay (C1-S). Applicant: Al-Khafaji Hassan. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2321) *(Recommendation: Approval with Conditions)*
- * 4. **PLANNED UNIT DEVELOPMENT (PD2002-2) AND TIME EXTENSION (TE2004-2):** A request for a one-time 18-month time extension for Planned Unit Development No. PD2002-2 for a hillside single-family home at 1000 Country Club Drive. (APN: 029-03-014), zoned Single Family Hillside (R1-H). Applicant: LaCroix Construction Co. Inc. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Recommend Approval to City Council with Conditions)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS June 9, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **"S"-ZONE APPROVAL AMENDMENT (SA2004-44):** A request to install two new building signs for single-tenant structures. The signs would replace existing signs on the rear of the two Credence buildings at 1421 California Circle (APN: 022-38-022), zoned Industrial Park (MP). Applicant: Baymark Signs for Credence. Project Planner: Dennis Carrington (408) 586-3275.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JUNE 9, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** May 26, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PUBLIC HEARING

- * **1. USE PERMIT NO. UP2004-9:** A request to locate telecommunications antennas inside a 40-foot tall flagpole and accompanying equipment inside an enclosure at Rancho Milpitas Middle School at 1915 Yellowstone Avenue in the R1-6 Zoning District (APN: 088-24-005). Applicant: Cingular Wireless. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*
- * **2. USE PERMIT NO. UP2004-11:** A request to locate telecommunications antennas atop of an existing 95 foot tall light pole and accompanying equipment inside an enclosure at Milpitas High School at 1285 Escuela Parkway, in the R1-6 Zoning District (APN: 026-18-003). Applicant: Jennifer Estes. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Continue to June 23, 2004)*

IX. NEW BUSINESS

3. **DISCUSSION ITEM:** Informational discussion of the Religious Land Use and Institutionalized Persons Act (RLUIPA). Staff Contact: James Lindsay, (408) 586-3274. (*Recommendation: No action necessary*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS June 23, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **‘S’ ZONE APPROVAL AMENDMENT NO. (SA2004-49):** Request for a one-day outdoor event with a live band in the front parking lot located at 1820-1840 McCarthy Boulevard (APN: 086-03-084). Applicant: Avnet. Project Planner: Kim Duncan, (408) 586-3283.
- b. **‘S’ ZONE APPROVAL AMENDMENT NO. (SA2004-52):** Request to remove and install a new front entry awning, an open channel wall sign with exposed neon, and install a new fiberglass pepper feature located at 300 West Calaveras Boulevard (APN: 086-07-043). Applicant: Swain Signs. Project Planner: Cindy Hom, (408) 586-3284.
- c. **‘S’ ZONE APPROVAL AMENDMENT NO. (SA2004-51):** Request to expand existing concrete masonry unit enclosure for groundwater extraction monitoring wells for Union 76 station to contain new and expanded equipment. Project involves relocation of existing trash enclosure at 97 South Abbott Avenue (APN: 022-28-018). Applicant: WRS Infrastructure. Project Planner: Dennis Carrington, (408) 586-3275.
- d. **‘S’ ZONE APPROVAL AMENDMENT NO. (SA2004-46):** Request to add a 395 square foot equipment enclosure and parking reduction of 3 parking spaces at 1001 Murphy Ranch Road (APN: 086-020-68). Applicant: AVAYA. Project Planner: Dennis Carrington, (408) 586-3275.
- e. **‘S’ ZONE APPROVAL AMENDMENT NO. (SA2004-55):** Request to have an outdoor event with tents, loudspeakers and seating for approximately 550 people at the Great Mall Park and Ride Facility (APN: 086-24-054). Applicant: Debbie Bruton/VTa. Project Planner: Troy Fujimoto, (408) 586-3287.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JUNE 23, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** June 9, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

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VIII. PUBLIC HEARING

- 1. REVOCATION OF USE PERMIT AMENDMENT NO. UA2003-15 (AD2004-8):** A request to revoke Use Permit Amendment No. UA2003-15 for live entertainment, including dancing and karaoke, at the Manila Natori restaurant at 579 South Main Street (APN: 086-11-012), zoned Mixed Use (MXD). Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Recommend Revocation to City Council)*
- * 2. USE PERMIT NO. UP2004-11:** *(Continued from June 9, 2004)* A request to locate telecommunications antennas atop of an existing 95 foot tall light pole and accompanying equipment inside an enclosure at Milpitas High School at 1285 Escuela Parkway, in the R1-6 Zoning District (APN: 026-18-003). Applicant: Jennifer Estes. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*

IX. NEW BUSINESS

- * 3. **'S' ZONE APPROVAL AMENDMENT NO. (SA2004-50) – SIGN PROGRAM:** A request for a sign program for Shapell office building and two retail buildings at the front of the property at 60, 100 and 120 North Milpitas Boulevard (APNs: 028-12-020 & 021), zoned Town Center district (TC). Applicant: Shapell Industries. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*
- 4. **DISCUSSION ITEM:** *(Continued from June 9, 2004)* An informational discussion of the Religious Land Use and Institutionalized Persons Act (RLUIPA). Staff Contact: James Lindsay, (408) 586-3274. *(Recommendation: No action necessary)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS July 14, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Vice Chair Lalwani-regular member, Debbie Giordano-regular member and Alex Galang-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **'S' ZONE APROVAL AMENDMENT NO. (SA2004-52):** *(Continued from June 9, 2004)* A request to remove and install a new front entry awning, an open channel wall sign with exposed neon, and install a new fiberglass pepper feature located at 300 West Calaveras Boulevard (APN: 086-07-043). Applicant: Swain Signs. Project Planner: Cindy Hom, (408) 586-3284.
- b. **'S' ZONE APPROVAL AMENDMENT NO. (SA2004-47):** Request to install a 5 foot 9 inch tall monument sign located at 715 Sycamore Drive (APN: 086-03-033). Applicant: Skyline Construction. Project Planner: Kim Duncan, (408) 586-3283.
- c. **'S' ZONE APROVAL AMENDMENT NO. (SA2004-58):** A request for tenant improvements for a new Wells Fargo full service branch including installation of two ATMs, a night deposit box, and relocation of front doors located at 123 Ranch Drive (APN: 022-53-003). Applicant: Wells Fargo Bank. Project Planner: Cindy Hom, (408) 586-3284.

CITY OF MILPITAS PLANNING COMMISSION
JULY 14, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279

This meeting has been cancelled. However, the Planning Commission Subcommittee will conduct their meeting at 6:30 p.m. For any questions, please contact Veronica Rodriguez at (408) 586-3271.

THE NEXT PLANNING COMMISSION MEETING IS July 28, 2004

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Alex Galang-regular member, Vice Chair Lalwani-regular member and Chair Nitafan-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. 'S' ZONE APPROVAL AMENDMENT NO. (SA2004-64):** Enclosure for new condenser and compressor unit. The CMU enclosure will be 10 feet high, 14 feet 8 inches deep and 28 feet 8 inches wide. The enclosure will be behind the main building and will not be visible from the street. (APN: 022-29-016). Applicant: Raymond H. Harris. Project Planner: Dennis Carrington, (408) 586-3275.

MEETING CANCELLATION

**CITY OF MILPITAS PLANNING COMMISSION
JULY 14, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

NOTE: This meeting has been cancelled due to lack of public hearing items. However, the Planning Commission Subcommittee meeting will conduct at 6:30 p.m. For any questions, please contact Veronica Rodriguez at (408) 586-3271.

THE NEXT PLANNING COMMISSION MEETING IS July 28, 2004

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 28, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** June 23, 2004
- V. ANNOUNCEMENTS**
- VI. PLANNING COMMISSION CHAIR SERVICE PLAQUE TO DEM NITAFAN:** (A short recess will be called)
- VII. APPROVAL OF THE AGENDA**
- VIII. ELECTION OF THE OFFICERS**
- IX. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

- X. PUBLIC HEARING**

- * 1. REVOCATION OF USE PERMIT AMENDMENT NO. UA2003-15 (AD2004-8)** *(Continued from June 23, 2004):* A request to revoke Use Permit Amendment No. UA2003-15 for live entertainment, including dancing and karaoke, at the Manila Natori restaurant at 579 South Main Street (APN: 086-11-012), zoned Mixed Use (MXD). Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: No further action on the revocation)*

- * 2. **USE PERMIT NO. UP2004-8, ‘S’ ZONE APPROVAL AMENDMENT NO. SA2004-28 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-6:** A request to install an approximately 60 foot tall artificial tree pole, six (6) telecommunication antennas and associated ground mounted equipment located at 1525 McCarthy Boulevard (APN: 086-03-079), zoned Light Industrial (M1). Applicant: Cingular Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2367) *(Recommendation: Approve Use Permit No. UP2004-8 and “S” Zone Approval-Amendment No. SA2004-28 with conditions and adopt the related Negative Declaration (Environmental Impact Assessment No. EA2004-6))*
- * 3. **USE PERMIT NO. UP2004-14:** A request to operate a new 1,271 square foot restaurant with 30 seats located at 530 Barber Lane at Milpitas Square shopping center (APN: 086-01-043), zoned General Commercial (C2). Applicant: Momomi Kato. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2374) *(Recommendation: Approval with Conditions)*

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 11, 2004

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Alex Galang-regular member, Vice Chair Lalwani-regular member and Chair Nitafan-alternate member) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **“S” ZONE APPROVAL AMENDMENT NO. SA2004-65:** Request for modifications to existing monument sign including the addition of a time and temperature LED signage for Central Self Storage at 700 Montague Expressway (APN: 092-08-083). Applicant: Central Self Storage. Project Planner: Staci Pereira, (408) 586-3278.
- b. **“S” ZONE APPROVAL AMENDMENT NO. SA2004-66:** Request to install a new 6' non-illuminated, double-faced, aluminum cabinet monument sign and reface an existing monument sign located at 580 Cottonwood Drive (APN: 086-03-088). Applicant: Promise Technology. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 11, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** July 28, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. USE PERMIT NO. UP2004-15:** A request to operate an auto rental agency at Calaveras Square shopping center, at 148 West Calaveras Boulevard (APN: 022-24-037), zoned General Commercial (C2). Applicant: Avis Rent-A-Car. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2376) *(Recommendation: Approval with Conditions)*
- * 2. MAJOR TENTATIVE PARCEL MAP NO. MA2004-1:** A request for a major tentative parcel map to convert one industrial building to five (5) condominium ownerships located at 601 Vista Way (APN: 086-29-069), zoned Heavy Industrial (M2). Applicant: Mahesh Patel. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 3175) *(Recommendation: Approval with Conditions)*

IX. NEW BUSINESS

- * 3. **GENERAL PLAN CONFORMANCE FOR THE VACATION OF PUBLIC RIGHT-OF-WAY (WELLER LANE AND WINSOR STREET):** A request for the vacations of the southern portion of East Weller Lane and the northern portion of Winsor Avenue to accomodate the future library on North Main Street. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Find the partial vacations of Weller Lane and Winsor Street are in conformance with the General Plan)*

- * 4. **GENERAL PLAN CONFORMANCE FOR THE SALE OF CITY OF MILPITAS PROPERTY TO THE MILPITAS REDEVELOPMENT AGENCY:** A request for a General Plan conformance finding for the sale of eight (8) City of Milpitas properties located within the Redevelopment Project Area One to the Milpitas Redevelopment Agency. Staff Contact: Blair King, (408) 586-3060. *(Recommendation: Find that the disposition and continued public use of the subject properties are in conformance with the General Plan)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 25, 2004

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **'S' ZONE APPROVAL AMENDMENT NO. (SA2004-72):** Request to relocate a previously approved 5 foot 9 inch tall monument sign located at 715 Sycamore Drive (APN: 086-03-033). Applicant: Skyline Construction. Project Planner: Kim Duncan, (408) 586-3283.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 25, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** August 11, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * 1. SIX-MONTH REVIEW (PR2004-7) OF USE PERMIT AMENDMENT NO. UA2003-4:** A six-month review of Use Permit Amendment No. UA2003-4 for the addition of live entertainment, full alcohol sales and extended hours of operation to an existing restaurant (Royal City) located at 90 South Abel Street (APN: 022-24-045), zoned Mixed Use (MXD). Applicant: Young Thai. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2316) (*Recommendation: Note Receipt and File*)
- * 2. SIX MONTH REVIEW OF FOUR (4) RESTAURANTS AT CRESCENT SQUARE (PR2004-3, 4, 5 and 6):** A six month review of four restaurants at Crescent Square shopping center to verify compliance with conditions of approval related to odor generation and waste handling issues, zoned neighborhood commercial (C-1) (APN: 022-02-049). The restaurants include the following: 1) Thai Town at 1783 North Milpitas Boulevard, Use Permit No. 1537, 2) China First Express at 1741 North Milpitas Boulevard, Use Permit No. 1566, 3) Quizno's at 1735 North Milpitas Boulevard, Use Permit No. 1551 and 4) Kang Nam Tofu House at 1747 North Milpitas Boulevard, Use Permit No. 1547. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ#'s 2195, 2227, 2379 and 2382) (*Recommendation: Note Receipt and File*)

IX. NEW BUSINESS

- 3. REVIEW OF STREETScape PLANS FOR MAIN AND ABLE STREETS:** Proposed enhancements to the landscaping, sidewalks, street furniture and lighting for Main Street between Railroad Court and Curtis Avenue and for Abel Street between Weller Lane and Great Mall Parkway. Project Planner: James Lindsay (408) 586-3274. (*Recommendation: Recommend the City Council Approve the Streetscape Design*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS September 8, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. 'S' ZONE APPROVAL AMENDMENT NO. (SA2004-74):** A request to remove existing signage and replace with new corporate signs for Hilton Garden Inn located at 30 Ranch Drive (APN: 022-54-014). Applicant: California Sign. Project Planner: Cindy Hom, (408) 586-3284.
- b. 'S' ZONE APPROVAL AMENDMENT NO. (SA2004-75):** A request to install a 10' chain link fence at the rear of the lot located at 897 Wrigley Way. (APN: 086-29-055). Applicant: Jim Tartumella. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR SEPTEMBER 8, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** August 25, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. "S" ZONE APPROVAL NO. SZ2003-7 AND USE PERMIT NO. UP2003-28:** A request for a commercial development consisting of 2 buildings (1 and 2 stories), associated site improvements, and a use permit for a parking reduction on the property located at 790 East Capitol Avenue (APN: 086-37-025), zoned "C2-TOD" General Commercial with Transit-Oriented District Overlay. Applicant: Brian Tan. Project Planner: Staci Pereira (408) 586-3278. (PJ# 3161) *(Recommendation: Approval with Conditions)*
- * 2. PLANNED UNIT DEVELOPMENT NO. PD2004-1, "S" ZONE APPROVAL NO. SZ2003-11 AND USE PERMIT NO. UP2003-37:** Request for a residential Planned Unit Development with a maximum density of 216 senior and multifamily units, including three, 5-story buildings for the senior development with associated site improvements which include development standard deviations and a use permit for a parking reduction located at 1696 South Main Street (APN's: 086-34-017, -019 and -020), zoned "R4" Multifamily Very High Density. Applicant: USA Properties Fund. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3165) *(Recommendation: Continue to September 22, 2004)*

- * 3. **USE PERMIT NO. UP2004-10:** Request to install six (6) telecommunication panel antennas on an existing PG&E lattice tower and associated ground mounted equipment on 2 adjacent parcels located at 865 Vasona Street (APN's: 022-05-077 and 079), zoned Single Family Residential (R1-6). Applicant: Cingular Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2369) *(Recommendation: Continue to September 22, 2004)*

IX. NEW BUSINESS

4. **PLANNING COMMISSION MEETING SCHEDULE:** Consider request to change the Commission's meeting schedule from the 2nd and 4th Wednesday of each month to the 2nd and 4th Thursday of each month. Staff Contact: James Lindsay, (408) 586-3274. *(Recommendation: Consider request and direct staff accordingly)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS September 22, 2004

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **"S" ZONE APPROVAL AMENDMENT NO. (SA2004-74):** A request to remove existing signage and replace with new corporate signs for Hilton Garden Inn located at 30 Ranch Drive (APN: 022-54-014). Applicant: California Sign. Project Planner: Cindy Hom, (408) 586-3284.
- b. **"S" ZONE APPROVAL AMENDMENT NO. (SA2004-79):** A request to remove and replace 4 existing wall mounted signs and 1 monument signs for StayBridge Suites located at 321 Cypress Drive (APN: 086-47-007). Applicant: AD Art. Project Planner: Cindy Hom, (408) 586-3284.
- c. **"S" ZONE APPROVAL AMENDMENT NO. (SA2004-80):** A request to install new non-illuminated, wall mounted sign for Macedonia Missionary Baptist Church located at 121 Sinnott Lane. (APN: 086-27-047). Applicant: Signarama. Project Planner: Cindy Hom, (408) 586-3284.
- d. **"S" ZONE APPROVAL AMENDMENT NO. (SA2004-86):** A request to install non-trilaminate asphalt composition roof to accommodate new solar panels located at 1015 Matterhorn Ct. (APN:088-33-038). Applicant: Raj Bhatia. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR SEPTEMBER 22, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** September 8, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. PLANNED UNIT DEVELOPMENT NO. PD2004-1, "S" ZONE APPROVAL NO. SZ2003-11 AND USE PERMIT NO. UP2003-37**
(Continued from September 8, 2004): Request for a residential Planned Unit Development with a maximum density of 216 senior and multifamily units, including two, 5-story buildings for the senior development with associated site improvements which include development standard deviations and a use permit for a parking reduction located at 1696 South Main Street (APN's: 086-34-017, -019 and -020), zoned "R4" Multifamily Very High Density. Applicant: USA Properties Fund. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3165)
(Recommendation: Recommend approval to City Council)

2. **CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE, SIGN ORDINANCE AND NEIGHBORHOOD BEAUTIFICATION ORDINANCE TEXTS (ZT2004-2):** Amend the following chapters of the Milpitas Municipal Code: Chapter 500 (Neighborhood Beautification Ordinance) and Chapter 10 (Zoning Code) to define continuous and non-continuous violations, reduce the timeframe to address violations, and allow immediate imposition of fines for non-continuous violations; and Chapter 30 (Sign Code) to reorganize and consolidate certain sections, provide definitions of terms, add administrative citation authority, require administrative approval for temporary promotional signs, expand sign program criteria and applicability, provide additional regulations for balloon signs, garage sale signs, open house directional signs, projecting signs, banner signs, coming soon signs, grand opening signs and public information signs and clarify prohibited, permitted and exempt signs. Project Planner: Dennis Carrington, (408) 586-3275. *(Recommendation: Adoption by City Council of ordinance amendments implementing the proposed changes)*
- * 3. **USE PERMIT NO. UP2004-10** *(Continued from September 8, 2004):* Request to install six (6) telecommunication panel antennas on an existing PG&E lattice tower and associated ground mounted equipment on 2 adjacent parcels located at 865 Vasona Street (APN's: 022-05-077 and 079), zoned Single Family Residential (R1-6). Applicant: Cingular Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2369) *(Recommendation: Approval with Conditions)*
- * 4. **USE PERMIT NO. UP2004-18 AND S-ZONE APPROVAL AMENDMENT NO. (SA2004-71):** A request to locate telecommunication antennas inside the existing 93 foot tall elevator tower at the Great Mall Shopping Center, zoned C-2 (General Commercial), at 1100 Main Street (APN: 086-24-055). Applicant: Tetrattech for Nextel of California. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2383) *(Recommendation: Approval with Conditions)*
- * 5. **USE PERMIT NO. UP2004-25:** A request for a temporary tract office and signs for the Parc Place residential project, zoned R-4 (Multi-Family Very High Density), at 95 E. Curtis Avenue (APN: 086-25-024). Applicant: Craig Champion. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 3169) *(Recommendation: Approval with Conditions)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS October 13, 2004

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. "S" ZONE APPROVAL AMENDMENT NO. (SA2004-81):** A request to install 3 new 2'-6" entry signs for Lynn Park Townhouse development located at 750 Kennedy Drive (APN: 029-22-001). Applicant: Hill Associates. Project Planner: Cindy Hom, (408) 586-3284.
- b. "S" ZONE APPROVAL AMENDMENT NO. (SA2004-87):** Request to locate a 36" Starbuck's logo sign on the east building elevation located at 353 Jacklin Rd. (APN: 026-28-029). Applicant Shapell Industries. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR OCTOBER 13, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** September 22, 2004
- V. ANNOUNCEMENTS**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. USE PERMIT NO. UP2004-16 AND MITIGATED NEGATIVE DECLARATION NO. EA2004-7:** A request for approval of a 2,450 square foot religious facility and a parking modification (parking reduction of 16 required spaces) and the adoption of a mitigated negative declaration in an existing building at 380 Montague Expressway (APN: 086-36-044), zoned Heavy Industrial (M2) district. Applicant: Tim Nguyen. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2378) *(Recommendation: Adopt the Mitigated Negative Declaration and Approval with Conditions)*
- * 2. MAJOR TENTATIVE PARCEL MAP NO. MA2004-2:** A request to subdivide an existing 44,465 square foot industrial building into twenty-one (21) condominium units for individual ownership, located at 991 Montague Expressway (Fleming Business Park) (APN: 086-31-059), zoned Heavy Industrial (M2). Applicant: Tim Nguyen. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2380) *(Recommendation: Approval with Conditions)*

- * 3. **USE PERMIT NO. UP2004-20 AND "S" ZONE APPROVAL AMENDMENT NO. SA2004-77:** A request to install a two-sided complex ID and directory freestanding monument sign measuring 10' x 4'-6" located at 1000 Ames Avenue (APN: 086-31-054), zoned "M2" Heavy Industrial. Applicant: Sign Classics. Project Planner: Cindy Hom, (408) 586-3284. (PJ# 2390) *(Recommendation: Approval with Conditions)*
- * 4. **USE PERMIT NO. UP2004-23:** A request to locate a dental laboratory at 40 North Victoria (APN: 029-13-014), zoned Administrative and Professional Office (CO) district. Applicant: Keith Tae Kim. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2393) *(Recommendation: Approval with Conditions)*
- * 5. **USE PERMIT NO. UP2004-26:** A request for a reduction of two parking (2) spaces required by the ordinance for a bank locating in an existing retail tenant space at 139 Ranch Drive (APN: 022-53-003), zoned "C2" General Commercial. Applicant: Wells Fargo Bank. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2394) *(Recommendation: Approval with Conditions)*
- * 6. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-73 AND USE PERMIT NO. UP2004-19:** A request to install three (3) panel antennas behind the rooftop parapet and associated mechanical equipment atop the Crown Plaza Hotel located at 777 Bellevue Drive (APN: 086-47-002), zoned "HS" Highway Services. Applicant: Sprint PCS. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2385) *(Recommendation: Approval with Conditions)*
- * 7. **USE PERMIT AMENDMENT NO. UA2004-7 and "S" ZONE APPROVAL AMENDMENT NO. SA2004-76:** A request to remove and replace three (3) telecommunication panel antennas on an existing monopole and addition of ground mounted equipment located at 1010 Ames Avenue (APN: 086-31-055), zoned Heavy Industrial (M2). Project Applicant: Nextel/Crown Castle. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2389) *(Recommendation: Approval with Conditions)*
- * 8. **PLANNED UNIT DEVELOPMENT NO. PD2004-1, "S" ZONE APPROVAL NO. SZ2003-11 AND USE PERMIT NO. UP2003-37 (Continued from September 22, 2004):** A request for a residential Planned Unit Development with a maximum density of 216 senior and multifamily units, including two, 5-story buildings for the senior development with associated site improvements which include development standard deviations and a use permit for a parking reduction on the properties located at 75 Montague Expressway and 1696 South Main Street (APN's: 086-34-017, -019 and -020), zoned "R4" Multifamily Very High Density. Applicant: USA Properties Fund. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3165) *(Recommendation: Note Receipt and File)*

IX. OLD BUSINESS

- 9. **REVIEW OF STREETSCAPE PLANS FOR MAIN AND ABEL STREETS (Continued from August 25, 2004):** Proposed enhancements to the landscaping, sidewalks, street furniture and lighting for Main Street between Railroad Court and Curtis Avenue and for Abel Street between Weller Lane and Great Mall Parkway. Project Planner: James Lindsay, (408) 586-3274. *(Recommendation: Recommend the City Council Approve the Streetscape Design)*

X. NEW BUSINESS

10. **ELMWOOD DEVELOPMENT PROJECT WORK SESSION:** A request to provide preliminary comments on the proposal by the applicant to construct 683 new residential units and change the land use designation of 20± acres located on the west side of South Abel Street from “General Commercial” and “Parks and Open Space” to “High Density Residential.” Applicant: KB Home South Bay Inc. Project Planner: Troy Fujimoto, (408) 586-3287. (*Recommendation: Provide preliminary comments*)
11. **AMENDMENT TO THE 2004 PLANNING COMMISSION MEETING SCHEDULE:** A request to reschedule the November 10th Planning Commission meeting to November 17th. Project Planner: James Lindsay, (408) 586-3274. (*Recommendation: Direct staff accordingly*)
12. **AMENDMENT TO THE PLANNING COMMISSION BYLAWS:** A request by staff to amend the bylaws to provide more flexibility in scheduling special meetings. Project Planner: James Lindsay, (408) 586-3274. (*Recommendation: Adopt Resolution No. 495 amending the bylaws*)
13. **DISCUSSION OF PROPOSED ZONING TEXT AMENDMENTS:** Staff is requesting direction on proposed text amendments that would allow tutoring centers as a conditional use in the HS district and impose distance requirements for quasi-public uses in the industrial zoning districts. Planner: James Lindsay, (408) 586-3274. (*Recommendation: Direct staff accordingly*)
- * 14. **“S” ZONE AMENDMENT (SA2004-89):** A request to have an outdoor display or for-sale products at the front of the Ocean Supermarket, 2 South Park Victoria Drive (APN: 088-04-078), zoned Neighborhood Commercial (C1). Applicant: Ocean Supermarket. Project Planner: Troy Fujimoto, (408) 586-3287. (*Recommendation: Approval with Conditions*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS October 27, 2004

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Alex Galang-regular member, Al Garcia-regular member, Zeya Mohsin-alternate member) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR OCTOBER 27, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** October 13, 2004
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. ENVIRONMENTAL IMPACT ASSESSMENT NO. EA2004-8, 'S' ZONE APPROVAL NO. SZ2004-3, USE PERMIT APPROVAL NO UP2004-7:** A request for the construction of a new 47,990 square foot multi-purpose animal facility with associated site improvements including the removal of 13 protected trees, and a use permit for an ancillary retail shop, dog park and compact parking, located in the Ames Industrial Park at 901 Ames Avenue, (APN: 086-31-006), zoned Heavy Industrial (M2). Applicant: Humane Society of Silicon Valley. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 3176) *(Recommendation: Adopt the Mitigated Negative Declaration and Approve with Conditions)*
- 2. USE PERMIT NO. UP2004-28:** A request for a parking reduction of nine (9) parking spaces for a funeral supply store located in the Mixed Use District with a Transit Overlay (MXD-TOD) at 27 Winsor Street (APN: 028-24-028). Applicant: Kenos Inc. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2347) *(Recommendation: Approval with Conditions)*

- * 3. **USE PERMIT NO. UP2004-24 and 'S' ZONE APPROVAL-AMENDMENT NO. SA2004-85:** A request to install six (6) telecommunication antennas on a new light standard and associated ground-mounted equipment at the Milpitas Sports Center, located at 1325 East Calaveras Boulevard (APN: 029-17-004), zoned Parks and Open Space (POS). Applicant: Verizon. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2393) (*Recommendation: Approval with Conditions*)
- * 4. **USE PERMIT AMENDMENT NO. UA2004-8 AND AN ADDENDUM TO EIA NO. 749:** A request to modify two (2) conditions of approval related to the re-use of 60,000 square feet of gross leasable area within the Great Mall shopping center and to adopt an Addendum to a Mitigated Negative Declaration in the General Commercial District (C2) at 1100 South Main Street (APN: 086-24-055). Applicant: The Mills Corporation. Project Planner: Troy Fujimoto. (PJ# 2397) (*Recommendation: Continue to December 8, 2004*)
- * 5. **CONSIDERATION OF ZONING ORDINANCE TEXT AMENDMENT NO. ZT2004-4:** The City proposes to amend the Zoning Ordinance adding tutoring centers as a conditional use in the Highway Services District. Project Planner: Staci Pereira, (408) 586-3278. (*Recommendation: Recommend adoption of ordinance to City Council*)

X. NEW BUSINESS

- * 6. **KB HOME STREET NAME CHARITY RAFFLE:** A request from the Milpitas Unified School District (MUSD) for approval of a street name raffle for a street in the KB Home Development. Staff Contact: Tambri Heyden, (408) 586-3280. (*Recommendation: Approval*)
- * 7. **“S” ZONE APPROVAL-AMENDMENT NO. SA2004-94:** A request to construct a 7-foot wooden enclosure and install exterior equipment at the front of an industrial building located at 212 Railroad Avenue, (APN: 028-23-009), zoned Heavy Industrial (M2) with Transit Oriented Development (TOD) overlay. Project Planner: Cindy Hom, (408) 586-3284. (*Recommendation: Approval with Conditions*)
- * 8. **“S” ZONE APPROVAL-AMENDMENT NO. SA2004-90:** A request to install seven (7) new trash/tallow enclosures constructed of chain link with vinyl slats located at 190 Barber Lane (Milpitas Square Shopping Center) (APN: 086-01-043), zoned General Commercial (C2). Applicant: Milpitas Square, LLC. Project Planner: Kim Duncan, (408) 586-3283. (*Recommendation: Approval with Conditions*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS November 17, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. “S” ZONE APPROVAL AMENDMENT NO. SA2004-96:** A request for a 3-day outdoor tent sale that includes 3 additional days for set-up and tear down, for Off 5th Saks Avenue in the Great Mall parking lot at 1330 Great Mall Drive (APN: 086-24-055). Applicant: Off Saks 5th Avenue. Project Planner: Staci Pereira, (408) 586-3278.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR NOVEMBER 17, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** October 27, 2004
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. GENERAL AND SPECIFIC PLAN AMENDMENT (GP2003-2), AMENDMENT TO THE ZONING MAP (ZC2003-2) AND ENVIRONMENTAL IMPACT REPORT (EA2003-7):** A request for land use changes affecting the following zoning designations: General Commercial, Parks and Open Space, Multi-Family High and Very High Density Residential and Mixed Use in the area of the Elmwood Correctional Facility. In addition, a request for corresponding zoning map changes and a related environmental impact report is proposed. (APN's: 086-05-003, 009, 086-10-025 and 086-11-013). Applicant: KB Home South Bay Inc. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 3160) *(Recommendation: Recommend Approval to the City Council)*

2. **VESTING MAJOR TENTATIVE MAP (MA2003-4), PLANNED UNIT DEVELOPMENT NO. PD2003-1, SITE AND ARCHITECTURE REVIEW (SZ2003-6) AND USE PERMIT NO. UP2003-26:** A request to develop approximately 35 acres of vacant land near the Elmwood Correctional Facility for 683 residential units including small lot single family, townhomes, and condominiums, public park space, and associated development standard deviations. (APN's: 086-05-003, 009, 012, 021; 086-10-001, 025 and 026; 086-11-008 and 013; and 086-25-010). Applicant: KB Home South Bay Inc. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 3160) (*Recommendation: Recommend Approval to the City Council*)
- * 3. **USE PERMIT NOS. UP2004-29 AND UP2004-30:** A request for two temporary, offsite tract signs on two undeveloped parcels at the northwest corner of N. Abel St. and Milpitas Blvd. (APN: 028-17-001) and the northeast corner of S. Main St. and Curtis Ave. (APN: 086-25-020) for the Parc Place residential project currently under construction. Applicant: Sign Tech. Project Planner: Staci Pereira, (408) 586-3278. (PJ Nos. 2400 and 2401) (*Recommendation: Approval with Conditions*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS December 8, 2004

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **COMPLIANCE WITH SPECIAL CONDITIONS RELATED TO S-ZONE AND USE PERMIT NO. 1554 FOR A MOSQUE:** Compliance with special condition nos. 5 and 6 related to the construction of a 24,480 square foot Mosque (religious facility) at 91 Montague Expressway (APN: 086-34-023). Applicant: Al-Hilaal Islamic Charitable Foundation. Project Planner: Troy Fujimoto, (408) 586-3287.
- b. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-97:** A request to install a new 5'-5.5" monument sign located at 131-151 S. Main Street. (APN: 022-24-047). Applicant: JKLM Properties. Project Planner: Cindy Hom, (408) 586-3284.
- c. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-104:** A request to install a new internally illuminated 6' monument sign located at 1770-1838 Milmont Drive (APN: 022-37-022). Applicant: Signs of California. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR DECEMBER 8, 2004
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** November 17, 2004
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. USE PERMIT AMENDMENT NOS. UA2004-8 AND UA2004-11 AND AN ADDENDUM TO EIA NO. 749 (UA2004-8 was continued from October 27, 2004):** A request by Kohl's Department Store for a parking modification, related to adding 7,649 square foot of new floor area to the Great Mall and modification to existing conditions of approval related to an existing parking modification at 1100 South Main Street (APN: 086-24-055), zoned "C2" General Commercial. Applicant: Kohl's Department Store and Mills Corporation. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ#'S 2396 and 3182) (*Recommendation: Approval with Conditions*)

2. **CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE, SIGN ORDINANCE AND NEIGHBORHOOD BEAUTIFICATION ORDINANCE TEXTS (ZT2004-2):** Amend the following chapters of the Milpitas Municipal Code: Chapter 500 (Neighborhood Beautification Ordinance) and Chapter 10 (Zoning Code) to define continuous and non-continuous violations, reduce the timeframe to address violations, and allow immediate imposition of fines for non-continuous violations; and Chapter 30 (Sign Code) to reorganize and consolidate certain sections, provide definitions of terms, add administrative citation authority, require administrative approval for temporary promotional signs, expand sign program criteria and applicability, provide additional regulations for balloon signs, garage sale signs, open house directional signs, projecting signs, banner signs, coming soon signs, grand opening signs and public information signs and clarify prohibited, permitted and exempt signs. Project Planner: Dennis Carrington, (408) 586-3275. *(Recommendation: Adoption by City Council of ordinance amendments implementing the proposed changes)*
3. **ADMINISTRATIVE ITEM NO. AD2003-16:** General Plan conformance of the proposed Cultural Resource Site designation of the O'Toole Elms located between South Main and South Abel Streets (APN: 086-11-013 and 008). Project Planner: Kim Duncan, (408) 586-3283. *(Recommendation: Find the designation in conformance with the General Plan)*
- * 4. **MAJOR TENTATIVE PARCEL MAP NO. MA2004-4:** A request for a major tentative parcel map to convert a previously approved mixed use building to ninety-six (96) residential and one (1) commercial condominium units for the Apton Plaza project at 230 N. Main Street (APN's: 028-24-017 and -018), zoned "MXD" mixed use. Applicant: Apton Properties. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3144) *(Recommendation: Recommend to City Council Approval with Conditions)*
- * 5. **"S" ZONE APPROVAL AMENDMENT NO. SA2004-103:** A request to construct a 768 square foot wood deck located at 1485 Country Club Drive (APN: 029-03-018), zoned "R1-H" Single Family Hillside. Applicant: Frank Houghton. Project Planner: Cindy Hom, (408) 586-3284. *(Recommendation: No action required by the Planning Commission)*
- * 6. **USE PERMIT AMENDMENT NO. UA2004-13:** A request to allow sales of all types of alcoholic beverages for King Crab Restaurant located at 269 W. Calaveras Boulevard (APN: 022-25-041), zoned "C2" General Commercial. Applicant: King Crab Restaurant. Project Planner: Cindy Hom, (408) 586-3284. (PJ# 2322) *(Recommendation: Approval with Conditions)*
- * 7. **USE PERMIT NO. UP2004-33:** A request for a delicatessen with no seats serving pre-packaged and prepared foods for take-out only at 300 Barber Court (APN: 086-01-043), zoned "C2" General Commercial. Applicant: Yushain Chang. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2404) *(Recommendation: Approval with Conditions)*
- * 8. **USE PERMIT NO. UP2004-22:** A request for a new restaurant, Red Rooster BBQ, with 48 seats and includes a parking reduction of 3 spaces at 550 N. Abel Street (APN: 022-07-004), zoned "C2" General Commercial. Applicant: Francis Esposo. Project Planner: Staci Pereira (408) 586-3278. (PJ # 2391) *(Recommendation: Approval with Conditions)*

X. NEW BUSINESS

- * **9. "S" ZONE AMENDMENT NO. SA2004-101:** A request by Kohl's Department Store to make exterior modifications such as a new entrance, loading dock and trash area, and landscaping at 1150 Great Mall Drive (APN: 086-24-055), zoned "C2" General Commercial. Applicant: Kohl's Department Store. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3182) (*Recommendation: Approval with Conditions*)

- * **10. "S" ZONE APPROVAL AMENDMENT NO. SA2004-112:** A request to have an outdoor display or for-sale products at the front of the Albertson's Supermarket, 25 North Milpitas Boulevard (APN: 028-22-132), zoned Town Center (TC). Applicant: Albertson's Inc. Project Planner: Troy Fujimoto, (408) 586-3287. (*Recommendation: Approval with Conditions*)

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS January 12, 2004

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- a. "S" ZONE APPROVAL AMENDMENT NO. SA2004-117:** A request for a one-day outdoor employee Christmas event with generator located at 100 North Milpitas Boulevard (APN: 028-12-021), zoned Town Center (TC). Applicant: Shapell Industries. Project Planner: Kim Duncan, (408) 586-3283.